

(Name)

(Address)

(City, State, Zip)

(CDC Inmate No.)

Mr. Leroy Willis Jr. #7710645 (500206 2-7)  
 1173 Front Street  
 San Diego CA  
 7710645  
 IN JAIL ON  
 above CASE.  
 ARREST  
 9-19-07

NUNC PRO TUNC

AUG 29 2008

**United States District Court**  
**Southern District of California**

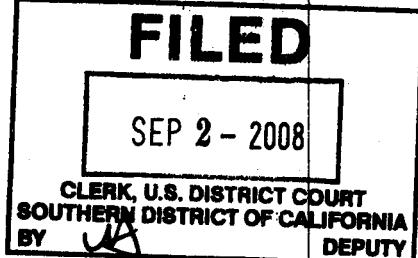
(Enter full name of plaintiff in this action.)

Plaintiff,

Civil Case No. 08cv 844

(To be supplied by Court Clerk)

v.



(Enter full name of each defendant in this action.)

Defendant(s).

**FIRST AMENDED**  
 Complaint under the  
 Civil Rights Act  
 42 U.S.C. § 1983

**A. Jurisdiction**

Jurisdiction is invoked pursuant to 28 U.S.C. § 1333(a)(3) and 42 U.S.C. § 1983. If you wish to assert jurisdiction under different or additional authority, list them below.

**B. Parties**

1. Plaintiff: This complaint alleges that the civil rights of Plaintiff, Mr. Leroy Willis Jr. (print Plaintiff's name), who presently resides at 1173 FRONT STREET (mailing address or place of confinement), SAN DIEGO, CA 92101, were violated by the actions of the below named individuals. The actions were directed against Plaintiff at Central Jail on (dates) 4-1-08, and 4-1-08. (institution/place where violation occurred) (Count 1) (Count 2) (Count 3)

2. Defendants: (Attach same information on additional pages if you are naming more than 4 defendants.)

Defendant Mr. Bill Kollender Deputy Chief resides in 1173 FRONT SDCA 92101  
 (name) (County of residence)

and is employed as a Deputy Sheriff (defendant's position/title (if any)) This defendant is sued in

his/her  individual  official capacity. (Check one or both.) Explain how this defendant was acting under color of law: Bill Kollender Deputy Sheriff Acted under color of the state Law COMMITTED ACT OF CRUEL & UNUSUAL PUNISHMENT PROTECTED UNDER U.S. CONSTITUTION CIVIL RIGHTS 8TH AMENDMENT

Defendant Mr. Richard Liekweg CEO resides in 200 West Arbor Drive, SDCA 92103  
 (name) (County of residence)

and is employed as a Chief Executive Officer (defendant's position/title (if any)) This defendant is sued in

his/her  individual  official capacity. (Check one or both.) Explain how this defendant was acting under color of law: MR. LIEKWEG Acted under color of the state Law COMMITTED ACT OF CRUEL & UNUSUAL PUNISHMENT PROTECTED UNDER U.S. CONSTITUTION CIVIL RIGHTS CIVIL RIGHTS 8TH AMENDMENT

Defendant MR. DEPUTY KATRA resides in 1173 FRONT SDCA 92101  
 (name) (County of residence)

and is employed as a DEPUTY SHERIFF (defendant's position/title (if any)) This defendant is sued in

his/her  individual  official capacity. (Check one or both.) Explain how this defendant was acting under color of law: DEPUTY KATRA ACTED under color of THE STATE LAW COMMITTED ACT OF CRUEL/UNUSUAL PUNISHMENT PROTECTED UNDER U.S. CONSTITUTION CIVIL RIGHTS 8TH AMENDMENT

Defendant MR. DEPUTY ANDERSON resides in 1173 FRONT SDCA 92101  
 (name) (County of residence)

and is employed as a DEPUTY SHERIFF (defendant's position/title (if any)) This defendant is sued in

his/her  individual  official capacity. (Check one or both.) Explain how this defendant was acting under color of law: MR. DEPUTY ANDERSON ACTED under color of THE STATE LAW COMMITTED ACT OF CRUEL/UNUSUAL PUNISHMENT PROTECTED UNDER U.S. CONSTITUTION CIVIL RIGHTS 8TH AMENDMENT

EXCESSIVE FORCE BY BILL KOLLENDER DEPUTIES

C. Causes of Action (You may attach additional pages alleging other causes of action and the facts supporting them if necessary.) ACTED UNDER COLOR OF STATE LAW

Count 1: The following civil right has been violated:

(E.g., right to medical care, access to courts, etc.)

due process, free speech, freedom of religion, freedom of association, freedom from cruel and unusual punishment, etc.)

Supporting Facts: [Include all facts you consider important to Count 1. State what happened clearly and in your own words. You need not cite legal authority or argument. Be certain to describe exactly what each defendant, by name, did to violate the right alleged in Count 1.]

CHIEF DEPUTY BILL KOLLENDER DEPUTIES  
ANDERSON COUNTY, KAN. USED EXCESSIVE  
FORCE AND ATTACKED MICHAEL WILLS  
WHILE I WAS RESTRAINED, ON MY BACK  
TO A HOSPITAL BED UNDER POLICE  
TREATMENT AT 1000, HOSPITAL.  
THIS OCCURRED UNDER COLOR OF THE  
STATE LAW WHICH VIOLATED MY  
CIVIL RIGHTS CRUEL AND UNUSUAL  
PUNISHMENT EXCESSIVE FORCE  
LEFT EYE INJURED AT TIME  
OF INCIDENT. NOW MR. WILLS  
SUFFERS FROM NIGHTMARES EMOTIONAL  
STRESS IN HIS SLEEP AS A RESULT NOW IN  
2008. FROM THE ASSAULT IN 2002.  
THE NEW ONSET INJURY IS  
CONSTANT AND HAS COME ON  
IN 2008 WITHOUT WARNING THE  
NIGHTMARES WERE REPORTED  
TO COUNTY ADMINISTRATION SEE  
EMIN PREVIOUSLY FORWARDED TO  
YOU BOTTOM CORNER FRONT  
PAGE ALONG WITH MEDICAL RECORDS  
TO F3. THEREATS VICTIM U.S.  
CONSTITUTION UNDER 8TH AMEND  
CRUEL AND UNUSUAL MENT  
PUNISHMENT.

~~EXCESSIVE FORCE USED AGAINST PATIENTS~~  
 Count 2: The following civil right has been violated: right to medical care

(E.g., right to medical care, access to courts, etc.)

~~ACTED UNDER COLOR OF STATE AND EXCESSIVE FORCE~~  
 due process, free speech, freedom of religion, freedom of association, freedom from cruel and unusual punishment, etc.)

~~WHICH VIOLATES U.S. CONSTITUTION & THAMER~~  
~~NEW YORK CRIMINAL UNLAWFUL PUNISHMENT~~  
**Supporting Facts:** [Include all facts you consider important to Count 2. State what happened clearly and in your own words. You need not cite legal authority or argument. Be certain to describe exactly what each defendant, by name, did to violate the right alleged in Count 2.]

IN 2002 MR. WILLIS

HAD NIGHTMARES WHILE SLEEPING  
WHICH HAS CAUSED EMOTIONAL PAIN  
AND STRESS NEW INJURY FROM  
2002 ATTACK. I'M HAVING NIGHT  
HAKES SAWED 214 INCH ALLOVER AGAIN  
BEING ASSAULTED BY TWO DEPUTIES  
EMPLOYED BY RICHARD LIEKWEY. COMMITTED  
THIS NEW CRUELTY INJURY IS  
OCURRED AGAIN IN SEPTEMBER 2002  
Hospital CEO RICHARD LIEKWEY  
EMPLOYEES CONTRIBUTED TO ATTACK  
BY THE TWO TWO ALLEGED  
PATIENTS IN SAME ROOM WITH  
MEDEICAL STAFF BAND FROM WILLIS A  
EAR WHEN I ASKED A NURSE TO NURSE SHE  
RAN OUT OF ROOM Deputies said she stopped  
AND CAME INTO MY BED WITH GUN  
OF CHOKEING ME AND ASSAULTED ME.  
VERY CRUEL I REAL SAD.

RICHARD LIEKWEY CEO AND UCSD  
EMPLOYEES ACTED UNDER COLOR OF  
STATE LAW AND VIOLATED MY CIVIL RIGHTS  
TO CRUEL AND UNUSUAL PUNISHMENT  
A 8TH AMENDMENT U.S. CONSTITUTIONAL  
VIOLATION. THEY TRIED TO ESCAPE

SHOT TO OVER THE REACTIONS  
2002 CRUEL & UNUSUAL INJURY  
UNLAWFUL. NOW INJURY HAS NEW

Count 3: The following civil right has been violated: SAME AS MISC 3

1234 OF complaint  
 (E.g., right to medical care, access to courts, due process, free speech, freedom of religion, freedom of association, freedom from cruel and unusual punishment, etc.)

Supporting Facts: [Include all facts you consider important to Count 3. State what happened clearly and in your own words. You need not cite legal authority or argument. Be certain to describe exactly what each defendant, by name, did to violate the right alleged in Count 3.]

CIVIL RIGHTS

VIOLATED IN 2008

EXCESSIVE FORCE NIGHT TIRES

8TH AMENDMENT U.S.

CONSTITUTION CRUEL

UNUSUAL PUNISHMENT

HOUSED IN ADSEG PERMANENT.

Since 2002 FROM THERE ATTACK

ON ME . THERE D.A.

REFERRAL WAS DENIED

NIGHT TIRES HIS

MENTAL EXCITANT

PAIVE STRESS 10/1

2008.4

**D. Previous Lawsuits and Administrative Relief**

1. Have you filed other lawsuits in state or federal courts dealing with the same or similar facts involved in this case?  Yes  No.

If your answer is "Yes", describe each suit in the space below. [If more than one, attach additional pages providing the same information as below.]

(a) Parties to the previous lawsuit:

Plaintiffs: \_\_\_\_\_

LeROY WILLIS JR V. B-Kollender

ETA/

CCSO

CO.

FRIST AMENDED Complaint

Defendants: \_\_\_\_\_

08-0844-JAH (JMA)

(b) Name of the court and docket number: \_\_\_\_\_

R. Lewkeq

(c) Disposition: [ For example, was the case dismissed, appealed, or still pending? ] \_\_\_\_\_

(d) Issues raised: \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

(e) Approximate date case was filed: 4-08

(f) Approximate date of disposition: \_\_\_\_\_

2. Have you previously sought and exhausted all forms of informal or formal relief from the proper administrative officials regarding the acts alleged in Part C above? [E.g., CDC Inmate/Parolee Appeal Form 602, etc.]?  Yes  No.

If your answer is "Yes", briefly describe how relief was sought and the results. If your answer is "No", briefly explain why administrative relief was not sought.

SENT NEW INJURY

CLAIM 101600 PACIFIC HWY

SDC 97101 COUNTY Adminis

TRATION OFFICE 208 SEE CLAIM

in your file.

**E. Request for Relief**

Plaintiff requests that this Court grant the following relief:

1. An injunction preventing defendant(s):

*DO NOT HARM  
ME ANYMORE.*

*PLEASE STOP → serious. ENOUGH HIS  
ENOUGH, ENOUGH. THEY ARE CRUEL.*

2. Damages in the sum of \$ 1 million.

3. Punitive damages in the sum of \$ 1 million.

4. Other: 2008 INJURY

**F. Demand for Jury Trial**

Plaintiff demands a trial by  Jury  Court. (Choose one.)

**G. Consent to Magistrate Judge Jurisdiction**

In order to insure the just, speedy and inexpensive determination of Section 1983 Prisoner cases filed in this district, the Court has adopted a case assignment involving direct assignment of these cases to magistrate judges to conduct all proceedings including jury or bench trial and the entry of final judgment on consent of all the parties under 28 U.S.C. § 636(c), thus waiving the right to proceed before a district judge. The parties are free to withhold consent without adverse substantive consequences.

The Court encourages parties to utilize this efficient and expeditious program for case resolution due to the trial judge quality of the magistrate judges and to maximize access to the court system in a district where the criminal case loads severely limits the availability of the district judges for trial of civil cases. Consent to a magistrate judge will likely result in an earlier trial date. If you request that a district judge be designated to decide dispositive motions and try your case, a magistrate judge will nevertheless hear and decide all non-dispositive motions and will hear and issue a recommendation to the district judge as to all dispositive motions.

You may consent to have a magistrate judge conduct any and all further proceedings in this case, including trial, and the entry of final judgment by indicating your consent below.

Choose only one of the following:

Plaintiff consents to magistrate judge jurisdiction as set forth above.

OR

Plaintiff requests that a district judge be designated to decide dispositive matters and trial in this case.

*8-22-08*  
Date

*John Miller Jr.*  
Signature of Plaintiff

① Additional

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Underpenalty AND  
DESPITE UCSD CEO, R-  
LICKWEG-BILL KOLENDER ECT ALL NAMED.  
Under color OF STATE FACED  
CRUEL AND UNUSUAL  
PUNISHMENT & EXCESSIVE  
FORCE ECT AL. PAGE 1  
THROUGH 5. TO SATISFY  
PAGE 4 (B) ORDER FILED  
7-15-08 U. S. DISTRICT  
COURT 7-15-08. ALSO TO ADDRESS  
PAGE 6 TOLLING ISSUE  
SEE GENERAL CODE OF  
CIVIL PROCEDURE § 312.  
MR. WILLIS NIGHT MARES  
AND INJURY. I BECAME  
AWARE OF OCCURECE IN 2008  
AND I FILED TO THE COURT  
CONCERNING PAIN & SUFFERING  
FROM NIGHT MARES  
RELATED TO INCIDENT  
SHERIFF DEPT UCSD ET AL  
CEO. I HAVE NO CONTROL  
WHEN I BECOME  
ACTUALLY EMOTIONALLY  
EFFECTED BY A INCIDENT  
IN MY SLEEP. NOTE  
TRUE FACTS

(2)

SENT TO PRISON MAY  
2002 PAROLED 2005.6-3-05  
REARRESTED 2005 9-05  
PAROLED AGAIN 2007 7-2-07  
REARRESTED 9-19-07

INJURY DID NOT  
IN SUE UNTIL 2008.  
I FILED CLAIM 2008  
DO TO NIGHTMARES  
WERE DIRECTLY SOLELY  
TO INCIDENT CAUSED  
BY ALL NAMED IN  
COMPLAINT IN 2008.

SHERIFF DEPT STATUE  
TO FILE CHARGES ON  
THEIR ALLEGED ALLEGATION  
THEY CLAIM WAS THE  
CAUSE OF INCIDENT  
EXPIRED BY LAW? IN?

MR. WILLIS WAS CLASSIFIED  
AS A LEVEL SIX ESCAPE  
RISK ALL TIES TO COLOR  
UP INCIDENT. I WAS  
CHAINED TO A BEDDON

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(3)

Placed in A  
~~green~~ ~~dump~~  
~~SUIT.~~ ALERT STAFF

Placed in APSEQ  
every time I  
COME INTO JAIL  
24 HOUR LOCK DOWN  
I'M ~~STAFF~~

HATED DUE TO  
D.A. WOULD NOT  
file on CHARGES ON ME  
THEY even SAID  
~~I~~ WENT FOR  
THE GUN BUT  
FAILED TO DRAW  
There's ~~2~~ gun  
Anyone WITH a  
BRAIN SMELLS

cover UP  
never HAD A RULE  
VIOLATION Hearing on  
Incident THEY  
TYPE WHAT I ~~THE~~  
PLEASE in THERE computer  
AND Log.

Good old BOYS

I AM A nARm aLm

NOTE PETITIONER

# 1. HIS MENTAL AND EMOTIONAL

# RAIN AND IT IS VERY HARD

I AM GOING TO → comprehend =

# Psychotropic Medication

THIS IS A SERIES AND  
HARD → THE REASON IS  
COMPLEX FOR THIS REASON

# Alone

PRAY COUNSEL BE APPOINTED.  
SEE Exhibit A. 149th Reg.

SEE EXHIBIT A. *Bill Keltner, G. W. Willis, Jr.*

Bill Kellender Sheriff's Deputy  
Anderson KATRA CEO RICHARD  
Liewkeq UCSD MEDICAL

ET AL

Am) under penalty  
of perjury.

MCNABB V. UNITED STATES, 316 U.S. 322 (1943).

ST MARVINS MOUNT THE

NAME and NUMBER

WILLIS, LEROY

CDC NUMBER:

H36974

CDC 128-C

CDC-128-

R.J. Donovan Correctional Facility  
F42000000000142LANNUAL TB CHRONO  
TB SKIN TESTING

## DISTRIBUTION

CENTRAL FILE: MEDICAL FILE: INMATE: 

INMATE TB ALERT CODE

22

03-14-2007

DATE

MEDICAL-Psychiatric-DENTAL

Larry Lyle  
LARRY LYLE, PHYSICIAN & SURGEONEXHIBIT  
A

STATE OF CALIFORNIA

CDC FORM 128C

## MENTAL HEALTH PLACEMENT

DEPARTMENT OF CORRECTIONS

MHPCv2.0 (5-1-97)  
Effective 6-1-97NAME: Willis, Leroy CDC# H36974 INST: RJD  HOUSING: 420-142  
LAST  FIRST  MI  FRC

THIS INMATE HAS COMPLETED A MENTAL HEALTH EVALUATION WITH THE FOLLOWING RESULTS (check box(s) below):

a)  Does Not Meet Criteria for Inclusion in the Mental Health Treatment Population.  
 b)  Meets Inclusion Criteria for the MH Treatment Population (Check Level of Care [LOC] Below)  
 No  Yes Inclusion is for of Medical Necessity (Obtain Chief Psychiatrist Signature Below).  
 c)  Presently included in MHSDS, new LOC below (Check LOC Below).

LOC:  Inpatient DMH  Crisis Beds (MHCB)  Enhanced Outpatient Program (EOP)/Cat J  Clinical Case Management (CCCMS)/Cat JLevel of Functioning Assessment (GAF score): 65 Psychotropic Medication Prescribed:  Yes  No

Behavioral Alerts:

Rodriguez

TB3

Larry Lyle

07/27/2008

CHIEF PSYCHIATRIST or DESIGNEE SIGNATURE